

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

77 Cadillac Drive, Sacramento, CA 95825

(916) 920-6151

ORDER ALLOWING CHANGE IN POINT OF DIVERSION
AND PLACE OF USE AND AMENDING LICENSE

APPLICATION 12079

PERMIT 7115

LICENSE 5715

WHEREAS:

1. Petitions for change in point of diversion and place of use under License 5715 have been filed with the State Water Resources Control Board and said Board has determined that good cause for such changes has been shown.
2. License 5715 was issued to Mammoth County Water District and was filed with the County Recorder of Mono County on May 1, 1959.
3. The Board has determined that these changes in purpose of use will not operate to the injury of any other legal user of water involved.
4. Licensee has been put on notice that a limit must be imposed on the amount of water to be diverted in one year under all rights obtained under the Water Commission Act, effective December 19, 1914.

NOW, THEREFORE, IT IS ORDERED:

1. That permission is hereby granted to change the point of diversion under said License 5715 to the point of diversion described as follows:

SOUTH 1160 FEET AND WEST 530 FEET FROM THE N $\frac{1}{4}$ CORNER OF SECTION 16, T4S, R27E, MDB&M, BEING WITHIN THE NE $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SAID SECTION 16.

2. That permission is hereby granted to change the place of use to a place of use described as follows:

WITHIN THE BOUNDARIES OF THE MAMMOTH COUNTY WATER DISTRICT IN SECTIONS 27, 28, 33, 34, 35 AND 36, T3S, R27E; SECTIONS 2, 3, 4 AND 10, T4S, R27E; ALL OF THE MOUNT DIABLO BASE AND MERIDIAN AND AS SHOWN ON DISTRICT'S MAP FILED MAY 18, 1977 WITH THE STATE WATER RESOURCES CONTROL BOARD.

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3. The total amount of water diverted under this license, Permit 11463 (Application 17770) and any permit issued pursuant to Application 25368 shall not exceed 2760 acre-feet per year.

Dated: JUNE 1 1978

R. L. Rosenberger

for

R. L. Rosenberger, Chief
Division of Water Rights



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 12079

PERMIT 7115

LICENSE 5715

THIS IS TO CERTIFY, That

Southwest Mammoth Water Association

c/o D. H. James

506 Grove Street

Bishop, California

(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of Lake Mary in Mono County

tributary to Mammoth Creek thence Hot Creek thence Owens River

for the purpose of domestic use
under Permit 7115 of the State Water Rights Board and that said right to the use of said water has been perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the terms of the said permit; that the priority of the right herein confirmed dates from September 10, 1947 and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed twenty-five thousand (25,000) gallons per day to be diverted from about May 1 to about November 1 of each year.

The point of diversion of such water is located :

South nine hundred thirty (930) feet and west eighteen (18) feet from N $\frac{1}{4}$ corner of Section 16, T4S, R27E, MDB&M, being within NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 16.

A description of the lands or the place where such water is put to beneficial use is as follows:

Within SW $\frac{1}{4}$ of Section 3 and NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 10, T4S, R27E, MDB&M.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

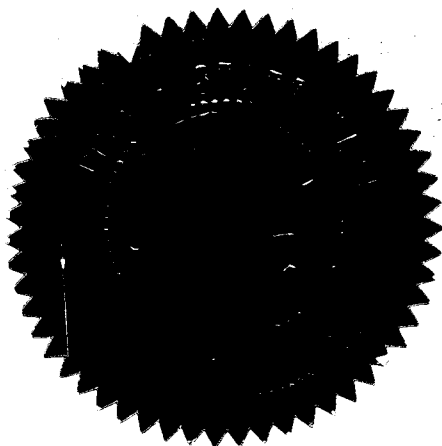
Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: MAY 1 '59

L. K. Hill
L. K. Hill
Executive Officer



LICENSE 5715
STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Southwest Mammoth Water
Association MAY 1 '59

DATED